

Message Text

SECRET

PAGE 01 MANILA 04728 01 OF 03 251143Z
ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
-----130113 251145Z /23

O 251045Z MAR 78
FM AMEMBASSY MANILA
TO SECSTATE WASHDC IMMEDIATE 3416
INFO SECDEF WASHDC
JCS
CINCPAC
CINCPACAF
CINCPACFLT PEARL HARBOR HI
13TH AF CLARK AB
CINCPACREPPHL

S E C R E T SECTION 1 OF 3 MANILA 4728

EXDIS

MILITARY ADDRESSEES HANDLE AS SPECAT EXCLUSIVE

E.O. 11652: GDS
TAGS: MARR, RP
SUBJECT: BASE DISCUSSIONS: MEETING WITH MARCOS MARCH 28

REFS: A) STATE 75549
B) MANILA 4723
C) MANILA 4725

1. I BELIEVE THAT THE PURPOSES CITED PARA 1 REFTEL A
OF DEMONSTRATING DISAPPOINTMENT WITH GOP RESPONSE TO OUR
OFFER, LIMITATIONS ON US, AND DESIRE TO REACH AGREEMENT
WERE ACCOMPLISHED DURING MARCH 24 MEETING. SITUATION
AS I SEE IT AT THIS TIME IS AS FOLLOWS:

A) GOP POSITION PRESENTED MARCH 21 IS A SETBACK FROM
PROGRESS WE APPEARED TO BE MAKING IN PREVIOUS SESSIONS.

SECRET

SECRET

PAGE 02 MANILA 04728 01 OF 03 251143Z

NEVERTHELESS, IT REPRESENTS THE FIRST OFFICIAL STATEMENT
OF PHILIPPINE POSITIONS SINCE 1976 AND OMITS ROUGHLY
HALF OF THE DEMANDS WE FOUND MOST UNACCEPTABLE TO US
INCLUDING THE BUILDING-BY-BUILDING APPROACH TO GRANT
OF FACILITIES; STRINGENT CONDITIONS ON TERMS OF USE;
SPECIFICATION OF U.S. FORCE LEVELS, PROVISIONS FOR PHIL
TAKEOVER OF FACILITIES; PROHIBITIONS ON NUCLEAR TRANSIT

AND STORAGE; LIMIT ON IMPORTATION OF HOUSEHOLD EFFECTS, TAXATION OF U.S. PERSONNEL, TERMINATION OF THE BASE LABOR AGREEMENT, DEMAND FOR RENT, LIMITATION TO FIVE YEAR TENURE, DEMANDS FOR AID IN THE CONVERSION OF FACILITIES, AND INSISTANCE ON A WRITTEN EMBELLISHMENT ON THE MUTUAL DEFENSE TREATY. HOWEVER, IT STILL FALLS FAR SHORT OF US MINIMUM REQUIREMENTS AND DOES NOT INDICATE SUFFICIENT MOVEMENT CONSISTANT WITH THE JANUARY UNDERSTANDINGS TO JUSTIFY ANY REFORMULATION OF US PROPOSALS.

B) MARCOS' CONDUCT DURING THE PRESENTATION OF THE AIDE MEMOIRE AND THE MARCH 24 MEETINGS INDICATES THAT HE IS LOOKING FOR A MEANS OF NARROWING THE GAP BETWEEN THE EXPRESSED VIEWS OF HIS ADVISORS AND REALITIES OF THE US SITUATION THAT WE HAVE CONVEYED TO HIM.

C) NEITHER THE AIDE MEMOIRE NOR MARCOS' SUBSEQUENT REMARKS PROVIDE SUFFICIENT BASIS FOR US TO IDENTIFY WHAT MARCOS CONSIDERS TO BE HIS ROCKBOTTOM DEMANDS. SINCE WE ARE UNABLE TO FRAME A MEANINGFUL RESPONSE TO WHAT WE HAVE BEEN PRESENTED AND SINCE WE BELIEVE, BASED ON PAST EXPERIENCE, THAT THE GOP IS NOT CAPABLE OF FURTHER REFINING ITS THOUGHTS, THE DANGER IS THAT CURRENT DISCUSSIONS WILL END WITH MY DEPARTURE WITHOUT LAYING THE GROUNDWORK FOR A PRODUCTIVE NEXT STEP IN

SECRET

SECRET

PAGE 03 MANILA 04728 01 OF 03 251143Z

THE NEGOTIATING PROCESS.

2. PLANNING FURTHER FOR MY MEETING WITH MARCOS MARCH 28, I SUGGEST FOLLOWING TALKING POINTS (SUBJECT, OF COURSE, TO WHAT FURTHER THOUGHTS HE MAY HAVE AS A RESULT HIS MEETING WITH PANEL MARCH 27.)

3. BEGIN TALKING POINTS AS A RESULT OF RECENT DISCUSSIONS, WE FEEL GENUINE PROGRESS HAS BEEN MADE IN SEEKING TO RESOLVE ISSUES RELATING TO OUR MILITARY FACILITIES. THE POINTS HAS NOW BEEN REACHED, HOWEVER, WHERE TWO QUESTIONS ARE BEING ASKED, (A) IS IT POLITICALLY POSSIBLE FOR EACH COUNTRY TO REACH AGREEMENT ON THE BASIS NOW BEFORE US? (B) IF SO, HOW CAN THIS BE ACHIEVED WITHOUT FURTHER EXTENSIVE AND INCONCLUSIVE DISCUSSION?

4. THE UNITED STATES ON ITS PART UNDERSTANDS THE NEED TO MANIFEST PHILIPPINE SOVEREIGNTY AT THE BASES AND FEELS THAT IT HAS MADE MAJOR CONCESSIONS IN THAT DIRECTION, WHEN ONE KEEPS IN MIND THAT AN AGREEMENT EXISTS ON THE PRESENT BASIS THROUGH 1991. TO MEET

PHILIPPINE DESIRES, WE HAVE:

SECRET

NNN

SECRET

PAGE 01 MANILA 04728 02 OF 03 251152Z

ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
-----130168 251153Z/11

O 251045Z MAR 78

FM AMEMBASSY MANILA

TO SECSTATE WASHDC IMMEDIATE 3417

INFO SECDEF WASHDC

JCS

CINCPAC

CINCPACAF

CINCPACFLT PEARL HARBOR HI

13TH AF CLARK AB

CINCPACREPPHIL

S E C R E T SECTION 2 OF 3 MANILA 4728

EXDIS

MILITARY ADDRESSEES HANDLE AS SPECAT EXCLUSIVE

A. AGREED TO A BASIC PATTERN WHICH MAKES THE TNEIRE
BASE AREAS PART OF A PHILIPPINE MILITARY BASE.

B. AGREED TO THE ESTABLISHMENT OF A PHILIPPINE BASE
COMMANDER RECOGNIZING THAT THE UNITED STATES COMMANDER
SHALL EXERCISE COMMAND CONTROL OVER U.S. PERSONNEL,
EQUIPMENT, MATERIAL AND OPERATIONS, AND THAT THE
UNITED STATES WILL BE ASSURED UNHAMPERED MILITARY
OPERATIONS INVOLVING ITS OWN FORCES INCLUDING
GUARANTEED FREE ACCESS AND EGRESS TO AND FROM U.S.
FACILITIES.

C. AGREED TO THE RELINQUISHMENT, FROM U.S. CONTROL, OF
SUBSTANTIAL ACREAGE, WATERSHEDS AND PORTIONS OF SUBIC
BAY WATERS.

SECRET

SECRET

PAGE 02 MANILA 04728 02 OF 03 251152Z

D. ACCEPTED A FORMULA WHICH RECOGNIZES PHILIPPINE ADMINISTRATION SIDE BY SIDE WITH U.S. OPERATION AND CONTROL OVER ONE OF THE MOST VITAL PARTS OF THE BASE SYSTEM, THE CROW VALLEY RANGE.

5. THE UNITED STATES APPRECIATES THAT, ON ITS SIDE, THE PHILIPPINE GOVERNMENT HAS AGREED TO THE CONTINUATION OF U.S. FACILITIES UNDER CLEAR U.S. CONTROL, TO THE CONTINUATION OF THE AGREEMENT THROUGH 1991, AND TO THE PRINCIPLE THAT U.S. OPERATIONS WILL BE UN-HAMPERED.

6. IN PREVIOUS DISCUSSIONS, THE UNITED STATES HAS INDICATED ITS WILLINGNESS TO HAVE SENIOR NEGOTIATORS RETURN TO MANILA, BUT ONLY IF THERE IS THE GENUINE PROSPECT OF AN AGREEMENT. WE CONTINUE TO FEEL THAT TOO MANY CONSPICUOUS TRIPS WITHOUT RESULTS CAN ONLY ACCENTUATE THE FEELING WHICH THE PRESIDENT WISHES TO AVOID - THAT NO PROGRESS IS BEING MADE.

7. FOR US TO MAKE A MEANINGFUL REPLY TO RECENT PHILIPPINE POSITIONS AND FOR THESE NEGOTIATORS TO RETURN, WITH THE PROSPECT OF AGREEMENT, THE FOLLOWING GENERAL UNDERSTANDINGS WILL BE NECESSARY:

A. THAT THOSE ELEMENTS OF THE U.S. PROPOSAL NOT REFERRED TO IN THE PHILIPPINE AIDE MEMOIRE OF MARCH 21 ARE AGREED TO, INCLUDING, THE EXCHANGE OF NOTES ON VOA, THE DELINEATION OF SAN MIGUEL, THE FORMULA ON DURATION, AND THE DEMARCACTION LINES ON THE MAPS OF CLARK AND SUBIC (EXCEPT FOR THE WATERS AND WATERSHED.)

B. THAT, UNDER WHATEVER FORMULA WHICH MAY BE ADOPTED,
SECRET

SECRET

PAGE 03 MANILA 04728 02 OF 03 251152Z

THE U.S. WILL RETAIN EFFECTIVE CONTROL OVER THOSE WATERS OF SUBIC BAY, INCLUDING GRANDE ISLAND, AS DEPICTED ON THE MAP.

C. THAT THERE BE AN IRONCLAD JOINT ARRANGEMENT TO INSURE THE MAINTENANCE OF THE SUBIC BAY WATERSHED.

D. THAT UNITED STATES FORCES, UNDER WHAT-EVER FORMULA IS ADOPTED, WILL CONTINUE TO USE, OPERATE AND MAINTAIN ITS CURRENT BUILDINGS AND EQUIPMENT AT WALLACE.

E. THAT THERE BE JOINT AGREEMENT ON ALL POLICIES AND

DIRECTIVES ISSUED BY THE PHILIPPINE BASE COMMANDER
IMPACTING ON THE U.S. FACILITIES INCLUDING U.S. FORCES
AND ALL EMPLOYEES OF THE FACILITIES.

F. THAT THE QUESTION OF CRIMINAL JURISDICTION EITHER
BE SET ASIDE OR THAT THE GOVERNMENT OF THE PHILIPPINES
UNDERSTANDS THAT IF TAKEN UP NOW THE REQUIREMENT FOR
MANIFESTATION OF PHILIPPINE SOVEREIGNTY MUST BE BALANCED
BY AN ARRANGEMENT ALLOWING THE UNITED STATES TO MAKE
THE FINAL DETERMINATION IN OFFICIAL DUTY CASES ALTHOUGH
THIS LATTER ARRANGEMENT MAY BE EMBODIED IN A SEPARATE
DOCUMENT. (COMMENT: REFERENCE TO SEPARATE DOCUMENT
CONTINGENT UPON WASHINGTON GUIDANCE REQUESTED REF C)

G. THAT IF, NOW OR IN THE FUTURE, THE PHILIPPINE
GOVERNMENT BELIEVES A COMPENSATION PACKAGE IS NECESSARY,
ONLY THE GENERAL FORM AND LEVEL OF THE PRESENT U.S.
PROPOSAL, WITH MINOR ADJUSTMENTS, COULD BE EXPECTED.

8. ON CAMP JOHN HAY, WHILE IT IS NOT INCLUDED IN THE
ABOVE ESSENTIAL ELEMENTS, THE U.S. WISHES TO POINT OUT
THAT ITS PROPOSAL CONTINUES, UNDER A PHILIPPINE BASE
COMMANDER, THE WIDER AND HARMONIOUS PHILIPPINE USE OF
SECRET

SECRET

PAGE 04 MANILA 04728 02 OF 03 251152Z

THIS FACILITY. THIS IS NOW BEING FURTHER ENHANCED BY
THE REMOVAL OF PASS RESTRICTIONS AND BY THE OPENING OF
RESORT HOUSING FACILITIES TO THE PHILIPPINE ARMED FORCES.
IT REMAINS THE U.S. HOPE THAT, WITHIN THE AREA DESIGNATED

SECRET

NNN

SECRET

PAGE 01 MANILA 04728 03 OF 03 251152Z
ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
-----130171 251154Z/11
O 251045Z MAR 78
FM AMEMBASSY MANILA
TO SECSTATE WASHDC IMMEDIATE 3418
INFO SECDEF WASHDC
JCS

CINCPAC
CINCPACAF
CINCPACFLT PEARL HARBOR HI
13TH CLARK AB
CINCPACREPPHIL

S E C R E T SECTION 3 OF 3 MANILA 4728

EXDIS

MILITARY ADDRESSEES HANDLE AS SPECAT EXCLUSIVE

ON OUR MAP, IT WILL STILL BE POSSIBLE TO FIND A FORMULA WHICH MEETS PHILIPPINE SOVEREIGNTY REQUIREMENTS BUT PERMITS THE CONTINUED USE OF APPROPRIATED U.S. FUNDS FOR THE UPKEEP OF THIS FACILITY.

9. WITH REGARD TO PHILIPPINE MILITARY EQUIPMENT REQUIREMENTS, THE U.S. WOULD BE PREPARED TO REEXAMINE THE RECOMMENDATIONS OF THE SURVEY TEAM FOR PARTICULARLY PRESSING REQUIREMENTS WHICH THE AFP MAY WANT TO INDICATE.

10. FOR SECURITY COSTS AT THE BASES, BOTH GOVERNMENTS SHOULD PREPARE ESTIMATES OF REQUIREMENT AND COSTS. EQUIPMENT COSTS MAY BE SUPPORTED THROUGH THE USE OF GRANT MAP. THE US IS PREPARED TO CONSIDER PAYING AN APPROPRIATE PART OF PERSONNEL COSTS.

SECRET

SECRET

PAGE 02 MANILA 04728 03 OF 03 251152Z

11. SEVERAL ITEMS SUCH AS PERMITS TO OPERATE COMMERCIAL ESTABLISHMENTS, AUTHORIZATION TO OPERATE MILITARY SERVICES, INCLUDING EXCHANGES, AND PERMISSION FOR CONSTRUCTION WERE NOT RAISED IN JANUARY BUT WERE INCLUDED IN THE AIDE MEMOIRE. THESE ARE ITEMS ALREADY COVERED IN THE EXISTING MILITARY BASES AGREEMENT WHICH WE HAD NOT CONTEMPLATED WOULD BE AMENDED. WE FEEL CONTINUED AUTHORITY OF THE US FACILITIES COMMANDER OVER THESE AREAS IS CONSISTENT WITH THE PRINCIPLE YOU HAVE AGREED TO THAT THE US ACTIVITIES IN THE FACILITIES WILL CONTINUE UNHAMPERED UNDER THE US FORCES COMMANDER.

12. FINALLY, THE UNITED STATES APPRECIATES THE PERSONAL ROLE WHICH THE PRESIDENT HAS TAKEN IN SEEKING TO REACH AGREEMENT. IT IS HOPED THAT, IF THE FOREGOING UNDERSTANDINGS ARE REACHED THAT, AS THE DETAILS ARE WORKED OUT BETWEEN THE DIPLOMATIC AND MILITARY REPRESENTATIVES OF THE TWO COUNTRIES, THE PRESIDENT WILL CONTINUE TO BE AVAILABLE TO U.S. REPRESENTATIVES IN THE EVENT OF

ANY DIFFERENCES ARISING OVER THE INTERPRETATION OF

THESE UNDERSTANDINGS.

NEWSOM

SECRET

NNN

Message Attributes

Automatic Decaptoning: Z
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MILITARY BASES, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 25 mar 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978MANILA04728
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780132-0113
Format: TEL
From: MANILA
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780325/aaaaauvx.tel
Line Count: 335
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 2aacadbd-c288-dd11-92da-001cc4696bcc
Office: ACTION SS
Original Classification: SECRET
Original Handling Restrictions: EXDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 7
Previous Channel Indicators: n/a
Previous Classification: SECRET
Previous Handling Restrictions: EXDIS
Reference: 78 STATE 75549
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 03 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3203672
Secure: OPEN
Status: NATIVE
Subject: BASE DISCUSSIONS: MEETING WITH MARCOS MARCH 28
TAGS: MARR, RP, US
To: STATE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/2aacadbd-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014